

Sunset Public Hearing Questions for
Higher Education and Technical Institutions Publications Committee
Created by Section 12-7-106, *Tennessee Code Annotated*
(Sunset termination June 2015)

- 1. Provide a brief introduction to the committee, including information about its purpose, statutory duties, staff, and administrative attachment.**

The Higher Education and Technical Institutions Publications Committee was created to review the publications of the University of Tennessee system institutions and the Tennessee Board of Regents institutions. The committee reviews the logs of publications and determines if the publications are necessary and meet reasonable cost thresholds. (e.g., paper, printing and design choices that are appropriate to the purpose of the publication). The committee maintains the *Publications Management Guide* and the *Printing and Publishing Guide* which provide the policy and procedures that institutions must follow for their publications.

The committee does not have a staff beyond its members. The committee is the responsibility of the Tennessee Higher Education Commission (THEC), the University of Tennessee and the Tennessee Board of Regents.

- 2. Provide a list of current members of the committee and describe how membership complies with Section 12-7-106, *Tennessee Code Annotated*. Are there any vacancies on the committee? If so, what steps have been taken to fill the vacancies?**

Committee membership, dictated by statute, consists of the Executive Director of the Tennessee Higher Education Commission; the President of the University of Tennessee; and the Chancellor of the Tennessee Board of Regents, or their designees.

The designees are as follows:

Mike Krause, Assistant Executive Director of Academic Affairs, THEC
Gina Stafford Phelps, Director of Communications, University of Tennessee
Monica Greppin-Watts, Director of Communications, Tennessee Board of Regents

- 3. How many times did the committee meet in fiscal years 2013 and to date in 2014, and how many members were present at each meeting?**

The Committee did not hold any formal meetings in FY 2013 or FY 2014. The members' designees reviewed, analyzed and audited the report of logged publications via conference call on one occasion in each fiscal year:

FY 2013: January 24, 2013

FY 2014: December 13, 2013

Prior to each of the two discussions listed above, publications logs were distributed to the designees, with an overall review of the logs being conducted by each member. The conference calls were held to identify whether any breach of the guidelines and regulations had occurred, and, if so, which institutions would receive inquiries regarding their publication(s).

- 4. What per diem or travel reimbursement do members receive? How much was paid to committee members during fiscal years 2013 and to date in 2014?**

No per diem or travel reimbursements were paid for this committee.

- 5. What were the committee's revenues (by source) and expenditures (by object) for fiscal years 2013 and to date in 2014? Does the committee carry a fund balance and, if so, what is the total of that fund balance? If expenditures exceeded revenues, and the committee does not carry a fund balance, what was the source of the revenue for the excess expenditures?**

The committee had no revenues or expenditures.

- 6. Is the committee subject to Sunshine law requirements (Section 8-44-101 et seq., *Tennessee Code Annotated*) for public notice of meetings, prompt and full recording of minutes, and public access to minutes? If so, what procedures does the committee have for informing the public of its meetings and making its minutes available to the public?**

The committee is subject to Sunshine Law requirements; however, due to a lack of formal required action by the committee, there have been no formal meetings held.

In recent years, the committee has not received any requests for approval of new publications from state institutions of higher education. In the absence of such requests, committee members conduct an informal review and audit of existing publications from the preceding fiscal year. Information about the existing publications is logged by each institution pursuant to TCA 12-7-106, and submitted to the committee for review within 30 days of the close of the fiscal year. In the event that a particular publication raises a question or concern, the institution is given an opportunity to respond to a written inquiry on the matter. The inquiries, as well as institutional responses, are all available for public review upon request. Failure by an institution to respond to such inquiry, or provision of an inadequate response, would result in a formal meeting of the committee to consider potential remedial action.

Pursuant to TCA 8-44-101, *et seq.*, public notice will be provided for any formal meeting of the committee, including any meeting convened for purposes of addressing unresolved questions about an institution's publication. Meeting minutes will also be available to the public upon request.

- 7. How does the council ensure that its members and staff are operating in an impartial manner and that there are no conflicts of interest? If the council operates under a formal conflict of interest policy, please attach a copy of that policy.**

While the committee has no formal conflict of interest policies, all committee members and designees are governed by the conflict of interest policies of their respective organizations.

8. Has the committee promulgated rules and regulations as authorized at Section 12-7-106(a), *Tennessee Code Annotated*? If so, please cite the reference.

The committee has rules and regulations in its two guiding documents, the *Publications Management Guide* and the *Printing and Publishing Guide*. These documents were developed in 1990 and revised in 2006.

9. Describe the nature and extent of the committee's activities and any major accomplishments of the past two years. Specifically, for fiscal years 2013 and to date in 2014, detail the number of publications reviewed; the number of publications approved and denied; the number of publications reviewed by staff and the number reviewed by the full committee. What was the estimated cost of publications approved?

In both years, publications logs for all public institutions were manually reviewed by committee designees. Those items that were deemed questionable were then sent to the campus with an inquiry and request for justification. To date, there have been no unresolved inquiries necessitating a formal meeting of the committee.

The committee has not been engaged in approval or denial of publications, but rather ongoing review of publications to ensure cost efficiency and reasonable expenditures. Over the past few years, the printing of hard copy publications by higher education institutions has continued to trend downward. Below is a summary of the review activity for existing publications that occurred in each year:

FY 12: TBR: 5,924 publications reviewed, \$3,161,536 total cost
UT: 1,833 publications reviewed, \$1,628,071 total cost

FY 13: TBR: 5,878 publications reviewed, \$3,159,797.35 total cost
UT: 1,683 publications reviewed, \$1,635,766 total cost

10. Has the committee set goals and measured its performance compared to the goals? What performance indicators or goals does management use to measure the effectiveness and efficiency of the committee? How well has the committee performed based on those performance indicators?

The committee does not operate under a set of specific performance indicators, but rather pursues an overarching goal of publication efficiency and accountability.

11. What reports does the committee prepare on its operations, activities, and accomplishments, and who receives those reports? Describe any reports required by statute, rule or policy.

The committee briefs via formal report the Chancellor of the Board of Regents and the President of the University of Tennessee. This report briefs the Chancellor and President

about the actions of the committee and any specific issues identified during the publications review.

12. Describe any items related to the committee that require legislative attention and your proposed legislative changes.

There are no items at this time.

13. Should the committee be continued? To what extent and in what ways would the absence of the committee affect the public health, safety, or welfare?

The committee should be terminated. While the oversight of printed publications is important, the expansion of online publication has, in many ways, made some review tasks obsolete when ensuring printing costs are effectively managed. The continuing need for higher education publication oversight could be carried out via an annual report to THEC and the General Assembly, without need for a formal, standing statutory committee.

By all indications, appropriate measures are currently being taken at the campus level to ensure accountability and cost effectiveness in the area of printed publications.

14. Please list all committee programs or activities that receive federal financial assistance and, therefore are required to comply with Title VI of the Civil Rights Act of 1964. Include the amount of federal funding received by program/activity.

If the committee does receive federal assistance, please answer questions 15 through 22. If the committee does not receive federal assistance, proceed directly to question 21.

15. Does your committee prepare a Title VI plan? If yes, please provide a copy of the most recent plan.

Not applicable.

16. Does your committee have a Title VI coordinator? If yes, please provide the Title VI coordinator's name and phone number and a brief description of his/her duties. If not, provide the name and phone number of the person responsible for dealing with Title VI issues.

Not applicable.

17. To which state or federal agency (if any) does your committee report concerning Title VI? Please describe the information your committee submits to the state or federal government and/or provide a copy of the most recent report submitted.

Not applicable.

18. Describe your committee's actions to ensure that committee staff and clients/program participants understand the requirements of Title VI.

Not applicable.

- 19. Describe your committee's actions to ensure it is meeting Title VI requirements. Specifically, describe any committee monitoring or tracking activities related to Title VI, and how frequently these activities occur.**

Not applicable.

- 20. Please describe the committee's procedures for handling Title VI complaints. Has your committee received any Title VI-related complaints during the past two years? If yes, please describe each complaint, how each complaint was investigated, and how each complaint was resolved (or, if not yet resolved, the complaint's current status).**

Not applicable.

- 21. Please provide a breakdown of current committee staff by title, ethnicity, and gender.**

The committee has no dedicated staff members employed.

- 22. Please list all committee contracts, detailing each contractor, the services provided, the amount of the contract, and the ethnicity of the contractor/business owner.**

The committee has no contracts.